

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF UNITED STATES OF AMERICA	COURT CASE NUMBER 2:07cv3361-MHT
DEFENDANT LYNNE BRACKINS	TYPE OF PROCESS Application, Affidavit, Writ of Garnishment

SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN LYNNE BRACKINS
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 17654 S. Highway 84, Andalusia, AL 36421

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

U. S. Attorney's Office
ATTN: A. Gardner
P. O. Box 197
Montgomery, AL 36101

RETURNED AND FILED

MAR 21 2008

Number of process to be served with this Form 285 3

Number of parties to be served in this case 3

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service)

Fold

DOB: 3/23/60
SSN: XXX-XX-4451

U.S. DISTRICT COURT
MIDDLE DIST. OF ALA.

Fold

Signature of Attorney or Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

(334) 223-7280

DATE

2/12/08

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. 2	District to Serve No. 1	Signature of Authorized USMS Deputy or Clerk K. Chauers	Date 2/14/08
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I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☒ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

Date 2/25/2008 Time 16:00 am
pm

Signature of U.S. Marshal or Deputy

Service Fee \$90.00	Total Mileage Charges including endeavors \$77.60	Forwarding Fee	Total Charges \$167.60	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
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REMARKS:

2/25/2008: HIGHWAY 84 RUNS EAST AND WEST. CHECKED 84 EXTENSIVELY BUT COULD NOT LOCATE 17654. THE NUMBERS END AT 14000'S

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285
Rev. 12/15/80
Automated 01/00

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

2008 FEB 13 15:21

UNITED STATES OF AMERICA

Plaintiff,

v.

SUPERIOR BANK,
Birmingham, AL, and

STERNE, AGEE, AND LEACH, INC.,
Birmingham, Alabama,

Garnishees,

LYNNE BRACKINS,

Defendant

CRIMINAL NO. 2:07cv3361-MHT

APPLICATION FOR WRIT OF GARNISHMENT

TO: Honorable Debbie C. Hackett
Clerk, United States District Court
Middle District of Alabama
Montgomery, Alabama 36101

Please issue writ of garnishment for the seizure from the garnishees, SUPERIOR BANK, 17 N. 20th Street, Birmingham, Alabama 35203, and, STERNE, AGEE, AND LEACH, INC., 800 Shades Creek Pkwy, Birmingham, Alabama 35209, all property held in the possession of Superior Bank, and Sterne, Agee, and Leach, Inc., in the name of Lynne Brackins, to compel performance of the judgment entered March 8, 2006, in this cause. Said defendant has failed to

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2008 FEB 14 11:38
UNITED STATES
MARSHAL'S SERVICE
MIDDLE DISTRICT
ALABAMA

comply with said judgment as more fully appears from the affidavit of R. Randolph Neeley,

Assistant United States Attorney, attached hereto as plaintiff's Exhibit A.

Dated this 13th day of February, 2008.

LEURA G. CANARY
United States Attorney

BY: 

R. RANDOLPH NEELEY
Assistant United States Attorney
Bar Number: 9083-E56R
Post Office Box 197
Montgomery, AL 36101-0197
Telephone No.: (334) 223-7280
Facsimile No.: (334) 223-7418
E-mail: rand.neeley@usdoj.gov

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

CRIMINAL NO. 2:07cv3361-MHT

SUPERIOR BANK,)
Birmingham, AL, and)

STERNE, AGEE, AND LEACH, INC.,)
Birmingham, Alabama,)

Garnishees,)

LYNNE BRACKINS,)

Defendant)

AFFIDAVIT

I, R. Randolph Neeley, having been first duly sworn, depose and say as follows:

1. I am an Assistant United States Attorney and represent the United States of America, plaintiff, herein.

2. Judgment was entered on March 8, 2006, for plaintiff and against defendant, Lynne Brackins, for the sum of \$120,100.00, lump sum payment due immediately.

3. Defendant resides within the jurisdiction of this court at 17654 U.S. Highway 84, Andalusia, Alabama 36421.

4. The judgment has not been satisfied, vacated, reversed, or barred by the Statute of Limitations, and is one on which execution may properly issue.

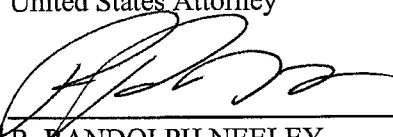
5. On May 1, 2007, defendant called plaintiff and advised plaintiff of funds in possession of Superior Bank, and requested that plaintiff file a writ of garnishment against these funds.

6. The balance on the judgment as of February 12, 2008, is \$119,733.39.

7. Upon information and belief, Lynne Brackins, defendant, has funds on deposit with garnishees, Superior Bank, 17 N. 20th Street, Birmingham, Alabama 35203, and, Sterne, Agee, and Leach, Inc., 800 Shades Creek Pkwy, Birmingham, Alabama 35209.

LEURA G. CANARY
United States Attorney

BY:


R. KANDOLPH NEELEY
Assistant United States Attorney
Bar Number: 9083-E56R
Post Office Box 197
Montgomery, AL 36101-0197
Telephone No.: (334) 223-7280
Facsimile No.: (334) 223-7418
E-mail: rand.neeley@usdoj.gov

Sworn to and subscribed before me this

13th day of February, 2008.


NOTARY PUBLIC

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
SUPERIOR BANK,)
Birmingham, AL, and)
)
STERNE, AGEE, AND LEACH, INC.,)
Birmingham, Alabama,)
)
Garnishees,)
)
LYNNE BRACKINS,)
)
Defendant)

CRIMINAL NO. 2:07cv3361-MHT

WRIT OF GARNISHMENT

TO THE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF ALABAMA:

Judgment having been entered in the above cause on March 8, 2006, in the sum of \$120,100.00, against the defendant, Lynne Brackins, said sum having not been paid, you are commanded to seize from the garnishees, Superior Bank, 17 N. 20th Street, Birmingham, Alabama 35203, and, Sterne, Agee, and Leach, Inc., 800 Shades Creek Pkwy, Birmingham, Alabama 35209, all proceeds belonging to said defendant, Lynne Brackins, including but not limited to, checking account funds, savings account funds, private reserve account funds, 401K, retirement funds, IRAs, CDs, and make return of this writ, and the execution thereof, according to law.

ATTEST: A True Copy. 2-14, 2008.
Certified to _____
Clerk, U.S. District Court,
Middle District of Alabama
BY [Signature]
Deputy Clerk

IN WITNESS WHEREOF, I, Debbie C. Hackett, Clerk of said Court, have Set My Hand this
the 14th day of February, 2008.

DEBBIE C. HACKETT, Clerk
United States District Court
For the Middle District of Alabama

BY:


Deputy Clerk